United Nations E/C.12/2017/SR.25

Economic and Social Council

Distr.: General
16 June 2017

Original: English

Committee on Economic, Social and Cultural Rights
Sixty-first session

Summary record (partial)* of the 25th meeting
Held at the Palais Wilson, Geneva, on Thursday, 8 June 2017, at 10 a.m.

Chair: Ms. Bras Gomes

Contents

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Combined second and third periodic reports of Liechtenstein (*continued*)

* No summary record was prepared for the rest of the meeting.

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@unog.ch).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.

GE.17-09473 (E) 150617 160617

1709473

Please recycle

The meeting was called to order at 10.05 a.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Combined second and third periodic reports of Liechtenstein (*continued*) (E/C.12/LIE/2-3; E/C.12/LIE/Q/2-3 and Add.1)

1. *At the invitation of the Chair, the delegation of Liechtenstein took places at the Committee table.*

2. **Mr. Abashidze** (Country Task Force) said that he would appreciate the delegation's comments on why neither the Constitution nor any of the relevant laws explicitly recognized the right to education. He wished to know why Liechtenstein was not a Member State of the United Nations Educational, Scientific and Cultural Organization (UNESCO). He also wished to know what educational improvements the State party believed were necessary, in view of its high opinion of its education system, and what measures were being taken to help both young children and parents whose mother tongue was not German. Regarding paragraph 44 of the replies to the list of issues, it would be helpful to know who was eligible for the German as a Second Language intensive course, what the enrolment procedure was, whether the course was free of charge, how many hours were devoted to it, whether the course completion certificate was useful and why there were so few students enrolled in the course. What practical conclusions had been drawn from the data contained in tables 16 to 18 in the replies to the list of issues?

3. Lastly, he asked why, if freedom of religion was guaranteed, there was a lack of appropriate premises for the religious and cultural activities of the Muslim population.

4. **Ms. Kranz** (Liechtenstein) said that the Government recognized the importance of early childhood education and had a long-standing interest in how language skills could be fostered in children before kindergarten. Thus, a community-level early language acquisition programme had been launched in 2012 to develop and coordinate activities for children under 4 years of age. Under the programme, parents learned how to combine language learning with games. Other measures included the early detection both of learning disabilities and of particular talents with a view to providing tailored services. Specialized support was available for children with any type of disability. There were also specialized schools, but teachers were trained to integrate children with disabilities into the classroom if parents chose to send their child to a mainstream school.

5. A special class for newly arrived children who did not speak German had been in place for over two decades. The country's size made it possible to open such classes very quickly when the need arose. The classes offered 34 hours of instruction per week for up to 12 children aged 8 to 18 years, who typically spent a year in the programme. The objective was to get the students up to the basic user, or A1, level under the Common European Framework of Reference for Languages, so that they could follow regular instruction. There were currently 27 children enrolled. If a child still had problems after a year, continued support was provided in the regular classroom. Supplementary support could be provided for up to seven years and had been extended to the kindergarten level in 2008. Some 540 students currently benefited from the programme.

6. Figures on school performance could not be published owing to anonymity requirements. However, the language proficiency of all children enrolled in the intensive German language course was assessed in the fifth grade, in other words before children were streamed. Those who did not reach the independent user, or B1, level continued in the intensive course for at least a year, even if they otherwise performed well enough to be streamed into the track with the highest academic requirements. The general academic performance of children with a migrant background was assessed through national testing. A new education report was being designed to provide fuller statistics on such matters as progress made and the influence of a migrant background on academic performance. Further work would be done to incorporate a child's socioeconomic background and mother tongue into education statistics. The reality was that children with a migrant

background were more likely to be streamed into the track with the lowest requirements, but there were ample apprenticeship opportunities for less academically inclined students. Moreover, after each year, students had the opportunity to transfer to a higher track, either on merit or on the basis of an examination.

7. The State funded Islamic religious instruction at the primary level. Under the Native Language and Culture programme, Muslim and other minority children could take classes in their mother tongue, although there was no budget or oversight. Tolerance was a key component of the curriculum and, as part of human rights and democracy education, students were taught how to behave in accordance with the major principles in that domain.

8. **Mr. Hasler** (Liechtenstein) said that, given the country's limited human and financial resources, Liechtenstein was not considering becoming a member of any additional international organizations. In 2011, the Government had launched its "Strength through Diversity" integration policy, together with associated measures. Liechtenstein relied on immigration and aimed to enable all inhabitants to participate in social life. Accordingly, the Government had set up a working group on the integration of Muslims with a view to establishing dialogue and fostering mutual respect between the Muslim community and the rest of the population. Liechtenstein had one full-time imam.

9. **Mr. Frick** (Liechtenstein) said that the right to education could be inferred from article 16 of the Constitution, which established that education was universal and compulsory and State education free of charge. It should be noted that almost all children attended State schools, which were of a very high calibre.

10. **Ms. Walch** (Liechtenstein) said that, by law, the children of asylum seekers and unaccompanied minors were entitled to education services.

11. **Mr. Sadi** said that, on the one hand, the State party had an integration policy that could potentially serve as a model for other countries but, on the other hand, it also promoted minority languages and culture. It should be mindful that failing to integrate children into society through the school system could have dire consequences in the future.

12. **Mr. Windfuhr** (Country Task Force), noting that there was no public housing, asked how individuals who, for various reasons, were not ideal tenants obtained housing. He wished to know what the State party's position was on inclusive education.

13. **Mr. Azzagoua** (Country Task Force), speaking with reference to the language requirement in the context of family reunification, said that he wished to know what language learning assistance was available to spouses while they were still living abroad and whether the amendments to the Foreigners Act took into account the fact that learning German might take a considerable time or prove impossible for some, thereby prolonging the separation of families.

14. **The Chair** asked what body had taken over the functions of the Equal Opportunities Unit since its dissolution in 2016. Drawing the State party's attention to the Committee's general comment No. 20, she wished to know whether the State party might consider reviewing its anti-discrimination legislation to cover all prohibited grounds of discrimination.

15. **Mr. Dasgupta** (Country Rapporteur) asked whether the school curriculum dealt with the contributions of different civilizations and cultures or tended rather to be Eurocentric. He would appreciate confirmation that the Liechtenstein Human Rights Association did not have constitutional status and that its board was elected by the members.

16. **Mr. Abdel-Moneim**, referring to the taxation and information exchange agreements listed in paragraph 16 of the replies to the list of issues, asked to what extent banks complied with them in practice.

17. **Mr. Uprimny** said that he was not convinced by the State party's argument that the authorities would know of cases of discrimination against persons with disabilities, even in the absence of disaggregated data, simply because a complaints mechanism was in place. Discrimination was not necessarily overt, so people were often not aware that they were being discriminated against. Recalling that the provision of reasonable accommodation was

a cross-cutting issue, he would appreciate further details on what reasonable accommodations were made for persons with disabilities in areas other than housing.

The meeting was suspended at 10.55 a.m. and resumed at 11.05 a.m.

18. **Ms. Kranz** (Liechtenstein) said that the Government firmly believed that a knowledge of one's background strengthened the sense of identity and was essential for healthy development. That said, only one hour a week was devoted to classes on students' native cultures, compared to the 30 hours devoted to integration. Liechtenstein did not have any nationals fighting abroad or any radicalized individuals, because it integrated children and adults from the moment of their arrival in the country. The curriculum was not unduly focused on Europe and, as early as primary school, children were encouraged to look at what was happening beyond the borders of Liechtenstein. Projects on diversity took place at all schools, for instance to mark International Mother Language Day and the International Day of Commemoration in Memory of the Victims of the Holocaust.

19. Liechtenstein used the term "integration" rather than "inclusion" when it came to the education of children with disabilities. Fewer than 2 per cent of children were in special schools, while 2 to 3 per cent of students in regular schools received additional assistance. Integration was a lofty goal but was very difficult to achieve in practice. Nevertheless, the Office of Education promoted in-service training for all teachers and encouraged teachers and special educators to work together to better manage integrated classrooms. Assistance was available to children with disabilities even once they had completed compulsory education.

20. **Mr. Risch** (Liechtenstein) said that the Ministry for Social Affairs oversaw housing and had measures in place for persons who experienced difficulty obtaining access to housing or who had lost their homes. Since January 2017, the Equal Opportunities Unit had been subsumed into the Ministry, pursuant to a decision by the parliament.

21. **Ms. Walch** (Liechtenstein) said, with regard to family reunification, that the State funded German classes for spouses with a residence permit. Prior to a person's arrival in Liechtenstein, assistance consisted in providing information on potential language schools. Basic knowledge of German could be demonstrated in various ways, namely through an A1 level certificate, proof of at least three years' attendance at a German-speaking school or a conversation with an official of the Migration and Passport Office. The language requirement was not absolute and could be waived if an expert certified that a person's circumstances made it impossible to learn German. There was no need to change the rules, because no permit had ever been denied on language grounds. Moreover, it typically took an overseas spouse six to eight months to reach the required level, which was not an unreasonable period of time for couples to be separated. Asylum seekers were permitted to work in Liechtenstein from the day that they submitted their application and they enjoyed all the safeguards contained in the Labour Act.

22. **Mr. Frick** (Liechtenstein) said that the board of the Liechtenstein Human Rights Association was elected by the Association's members and included, among others, a former judge of the European Court of Human Rights, a former ambassador to the United Nations and a member of the Muslim community.

23. Double taxation and information exchange agreements were binding on individuals and legal entities, and the national tax authority had the power to impose penalties. Such agreements became law as soon as they were approved by the parliament, so it was not necessary to adopt additional legislation to incorporate them into the legal order.

24. **Mr. Hasler** (Liechtenstein) said that there was one mosque in Liechtenstein, which was not unreasonable, given the size of the Muslim community. Dialogue was ongoing between the authorities and the community. The Government had commissioned a study of life as a Muslim in Liechtenstein, the findings of which would reinvigorate the discussion on integration. Although radicalization was not a widespread problem in the country, a working group had been set up to address the matter. Statistics were not kept on persons with disabilities, but various institutions monitored their situation. With a view to integrating persons with disabilities into the labour market, the Disability Insurance Act and other laws provided for a range of measures, including incentives for employers.

25. **Mr. Dasgupta** said that he welcomed the State party's openness to dialogue and commended the steps that it had taken to enhance the entire population's enjoyment of Covenant rights. The costs involved in acceding to the Optional Protocol to the Covenant were negligible, however. He would therefore strongly recommend that the State party ratify the instrument.

26. **Mr. Frick** (Liechtenstein) said that Liechtenstein appreciated the Committee's insight on areas for improvement and looked forward to receiving its concluding observations.

27. **The Chair** said that she was pleased to see that the State party had taken into account the Committee's previous concluding observations and trusted that it would do so again in the future.

The discussion covered in the summary record ended at 11.30 a.m.